

Animals in Westerly, Rhode Island for building construction, and for the Seattle Art Museum in Seattle, Washington for the construction of the Olympic Sculpture Park. (By 86 yeas to 13 nays (Vote No. 260), Senate tabled the amendment.) **Pages S11613–16**

By 15 yeas to 82 nays (Vote No. 262), Coburn Modified Amendment No. 2165, relative to the reconstruction of the Twin Spans Bridge.

Pages S11624–27, S11636–37

By 33 yeas to 61 nays (Vote No. 263), Stevens Amendment No. 2181, to ensure reconstruction of the Twin Spans Bridge.

Pages S11636–37

Withdrawn:

Dorgan Amendment No. 2133, to restrict enforcement of the Cuban Assets Control Regulations with respect to travel to Cuba.

Pages S11623–24

Coburn Amendment No. 2091, to prohibit any funds under the Act from being used for the Seattle Art Museum in Seattle, Washington for the construction of the Olympic Sculpture Park.

Pages S11608–13

During consideration of this measure today, Senate also took the following action:

By 53 yeas to 46 nays (Vote No. 261), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion, under section 402(b)(6) of H. Con. Res. 95, Congressional Budget Resolution, to waive provisions of said concurrent resolution with respect to the emergency designation provision in Reed Amendment No. 2077, to provide for appropriations for the Low-Income Home Energy Assistance Program. Subsequently, a point of order that the emergency designation provision would violate section 402(b)(5) of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point of order that the amendment would exceed the subcommittee's 302(b) allocation and the amendment thus falls.

Pages S11617–21, S11623

Ensign Amendment No. 2158 (to Amendment No. 2133), to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions, fell when Dorgan Amendment No. 2133 (listed above) was withdrawn.

Page S11615

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Bond, Shelby, Specter, Bennett, Hutchison, DeWine, Brownback, Stevens, Domenici, Burns, Allard, Cochran, Murray, Byrd, Mikulski, Reid, Kohl, Durbin, Dorgan, Leahy, Harkin, Landrieu, and Inouye.

Page S11696

Foreign Service Grievance Board: Senate passed S. 1905, to clarify Foreign Service Grievance Board procedures.

Page S11699

Azerbaijan Elections: Committee on Foreign Relations was discharged from further consideration of S. Res. 260, calling for free and fair parliamentary elections in the Republic of Azerbaijan, and the resolution was then agreed to.

Pages S11699–S11700

Labor/HHS/Education Appropriations—Agreement: A unanimous-consent agreement was reached providing that at 9:30 a.m. on Friday, October 21, 2005, Senate begin consideration of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, that the committee reported amendment be agreed to as original text for the purpose of further amendment, that no points of order be waived by virtue of this agreement, and that on Friday, October 21, 2005, the bill be considered for debate only.

Page S11700

Messages From the House:

Page S11663

Measures Read First Time: **Pages S11663, S11696–99**

Executive Communications: **Pages S11663–64**

Executive Reports of Committees: **Page S11664**

Additional Cosponsors: **Pages S11665–66**

Statements on Introduced Bills/Resolutions:
Pages S11666–73

Additional Statements: **Pages S11660–63**

Amendments Submitted: **Pages S11673–95**

Authority for Committees to Meet:
Pages S11695–96

Record Votes: Five record votes were taken today. (Total—264) **Pages S11615–16, S11623, S11637, S11653**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:01 p.m., until 9:30 a.m., on Friday, October 21, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S11700.)

Committee Meetings

(Committees not listed did not meet)

EXON-FLORIO AMENDMENT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the implementation of the Exon-Florio provision by the Committee on Foreign Investment in the United States (CFIUS), Department of the Treasury, which

seeks to serve U.S. investment policy through reviews that protect national security while maintaining the credibility of open investment policy, after receiving testimony from Senator Inhofe; Robert M. Kimmitt, Deputy Secretary of the Treasury; David Sampson, Deputy Secretary of Commerce; Stewart Baker, Assistant Secretary of Homeland Security for Policy; E. Anthony Wayne, Assistant Secretary of State for Economic Affairs; Peter Flory, Assistant Secretary of Defense for International Security Policy; Robert D. McCallum, Jr., Acting Deputy Attorney General, Department of Justice; Patrick A. Mulloy, Commissioner, United States-China Economic and Security Review Commission; and David Marchick, Covington and Burling, Washington, D.C.

PASSENGER RAIL SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 1052, to improve transportation security, including public and private sector actions taken since September 11, 2001, and the attacks on rail systems overseas, to enhance the security of passenger and freight rail transportation, after receiving testimony from Edmund Hawley, Assistant Secretary of Homeland Security for Transportation Security; Joseph H. Boardman, Administrator, Federal Railroad Administration, Department of Transportation; Cathleen Ann Berrick, Director, Homeland Security and Justice Issues, Government Accountability Office; Edward R. Hamburger, Association of American Railroads, William L. Crosbie, Amtrak, and Edward Wytkind, Transportation Trades Department (AFL-CIO), all of Washington, D.C.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following bills:

S. 1753, to establish a unified national hazard alert system, with an amendment in the nature of a substitute; and

S. 967, to amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, with an amendment in the nature of a substitute.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on

recommendations which it will make to the Committee on the Budget thereon.

ENERGY EFFICIENCY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1016, to direct the Secretary of Energy to make incentive payments to the owners or operators of qualified desalination facilities to partially offset the cost of electrical energy required to operate the facilities, and S. 1860, to amend the Energy Policy Act of 2005 to improve energy production and reduce energy demand through improved use of reclaimed waters, after receiving testimony from Douglas L. Faulkner, Acting Assistant Secretary for Energy Efficiency and Renewable Energy, James B. Roberto, Deputy Director for Science and Technology, Oak Ridge National Laboratory, Les Shephard, Vice President for Energy, Resources and Nonproliferation, Sandia National Laboratories, and Jane C.S. Long, Associate Director, Energy and Environment Directorate, Lawrence Livermore National Laboratory, all of the Department of Energy; Jim Reynolds, Florida Keys Aqueduct Authority, Key West, on behalf of the U.S. Desalination Coalition; Edmund Archuleta, El Paso Water Utilities, El Paso, Texas, on behalf of the WaterReuse Association; Pankaj Parekh, Los Angeles Department of Water and Power, Los Angeles, California, on behalf of the Awwa Research Foundation; and Colin Sabol, General Electric Infrastructure, Trevose, Pennsylvania.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Benson K. Whitney, of Minnesota, to be Ambassador to Norway, who was introduced by Senators Dayton and Coleman, Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands, who was introduced by Representative Lantos, Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria, who was introduced by Senator Allen, and Nicholas F. Taubman, of Virginia, to be Ambassador to Romania, who was introduced by Senators Warner and Allen, after the nominees testified and answered questions in their own behalf.

FOREIGN POLICY AND OIL

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs concluded a hearing to examine the role that petroleum plays in the economy and foreign policy, particularly as it relates to the Middle East, after receiving testimony from Stephen J. Gallogly, Director, Office of International Energy and Commodity Policy, Bureau of Economic and Business Affairs, and Alan Greeley Misenheimer,

Director, Office of Arabian Peninsula and Iran Affairs, Bureau of Near Eastern Affairs, both of the Department of State; George L. Person, Jr., Director, Office of African and Middle Eastern Affairs, Office of Policy and International Affairs, Department of Energy; Gal Luft, Institute for the Analysis of Global Security, and Robert E. Ebel, Center for Strategic and International Studies, both of Washington, D.C.; and Tom Z. Collina, 20/20 Vision, Silver Spring, Maryland.

HURRICANE KATRINA

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to examine the Federal emergency management and the response to Hurricane Katrina in New Orleans, receiving testimony from Marty J. Bahamonde, Regional Director, Office of Public Affairs, Federal Emergency Management Agency, Department of Homeland Security.

Hearing recessed subject to the call.

GUARDSMEN/RESERVISTS

Committee on Health, Education, Labor, and Pensions: On Wednesday, October 19, Subcommittee on Employment and Workplace Safety concluded a hearing to examine enhancing cooperation between employers and guardsmen/reservists, focusing on civilian and veteran organizations to work together to reach out to soldiers returning from the battlefield, after receiving testimony from Ronald J. Fry, SFC, North Carolina Army National Guard, and Wachovia Corporation, Charlotte, North Carolina; Bobby Hollingsworth, National Committee for Employer Support of the Guard and Reserve, Washington, D.C.; Dennis Donovan, Home Depot, Inc., Atlanta, Georgia; Christine Bierman, Colt Safety, Fire and Rescue, St. Louis, Missouri; and Lisa Nisenfeld, Southwest Washington Workforce Development Council, Vancouver, Washington.

FEDERAL EMPLOYMENT PROGRAMS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine Federal employment programs for persons with disabilities, after receiving testimony from Robert A. Lawhead, Employment Link, Boulder, Colorado; Kate Bartlett, Arlington, Massachusetts, on behalf of the National Down Syndrome Society; James Gashel, National Federation for the Blind, Baltimore, Maryland; Tony Young, NISH, Vienna, Virginia; and Mike Nelson, Greeley, Colorado.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1326, to require agencies and persons in possession of computerized data containing sensitive per-

sonal information, to disclose security breaches where such breach poses a significant risk of identity theft;

S. 1086, to improve the national program to register and monitor individuals who commit crimes against children or sex offenses, with an amendment in the nature of a substitute;

S. 443, to improve the investigation of criminal antitrust offenses; and

The nominations of Susan Bieke Neilson, of Michigan, to be United States Circuit Judge for the Sixth Circuit, John Richard Smoak, to be United States District Judge for the Northern District of Florida, Brian Edward Sandoval, to be United States District Judge for the District of Nevada, Harry Sandlin Mattice, Jr., to be United States District Judge for the Eastern District of Tennessee, and Margaret Mary Sweeney, of Virginia, and Thomas Craig Wheeler, of Maryland, each to be a Judge of the United States Court of Federal Claims.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

Also, Committee began markup of S. 1789, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, but did not complete action thereon, and recessed subject to call.

MARRIAGE AMENDMENT

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Property Rights concluded a hearing to examine the constitutional amendment on marriage, after receiving testimony from Scott FitzGibbon, Boston College Law School, Boston, Massachusetts; Christopher E. Harris, Vanderbilt University School of Medicine, Nashville, Tennessee; Louis Michael Seidman, Georgetown University Law Center, Washington, DC.; Richard G. Wilkins, Brigham Young University J. Reuben Clark Law School, Provo, Utah; and Christopher Wolfe, Marquette University, Milwaukee, Wisconsin.

VA INFORMATION TECHNOLOGY

Committee on Veterans Affairs: Committee concluded a hearing to examine the Department of Veterans Affairs information technology infrastructure reorganization assessment, focusing on the role of the Chief Information Officer in effectively managing information technology, after receiving testimony from Gordon H. Mansfield, Deputy Secretary of Veterans Affairs; Linda D. Koontz, Director, Information Man-

agement Issues, Government Accountability Office; and Paul Wohlleben, Grant Thornton LLP, Chicago, Illinois, on behalf of the Information Technology Association of America.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 34 public bills, H.R. 4090–4123; and 7 resolutions, H.J. Res. 69; H. Con. Res. 269–272; and H. Res. 504–505 were introduced.

Pages H9042–43

Additional Cosponsors:

Pages H9043–44

Reports Filed: There were no reports filed today.

Protection of Lawful Commerce in Arms Act: The House passed S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, by a yea-and-nay vote of 283 yeas to 144 nays, Roll No. 534—clearing the measure for the President.

Pages H8990–H9011

H. Res. 493, the rule providing for consideration of the bill was agreed to on Tuesday, October 18th, by voice vote.

Moment of Silence: The House observed a moment of silence in memory of the victims of the recent earthquake in Pakistan, India and Afghanistan.

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Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006—Motion to Instruct Conferees: The House rejected the DeLauro motion to instruct conferees on H.R. 2744, to make appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, which was debated yesterday, October 19th, by a yea-and-nay vote of 209 yeas to 216 nays, Roll No. 535.

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Appointed as Conferees: Representatives Bonilla, Kingston, Latham, Emerson, Goode, LaHood, Doo-

little, Alexander, Lewis of California, DeLauro, Hinchey, Farr, Boyd, Kaptur, and Obey.

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Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at noon on Monday, October 24th, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, October 25th, for Morning Hour Debate.

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Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, October 26th.

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Senate Message: Message received from the Senate today appears on page H8987.

Senate Referrals: S. 1736 was referred to the Committee on Government Reform and S. 1894 was referred to the Committee on Ways and Means.

Page H9040

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H9010–11 and H9011. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 4:40 p.m.

Committee Meetings

VA HEALTHCARE FACILITIES

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on VA Capital Asset Realignment for Enhanced Services (CARES) Testimony was heard from Jonathan B. Perlin, Under Secretary, Health, Veterans Health Administration, Department of Veterans Affairs.